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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,399	02/15/2002	Shinichi Matsumoto	03500.016189	7211
5514	7590	06/14/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			ALAM, SHAHID AL	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	

2162

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/075,399	MATSUMOTO, SHINICHI	
	Examiner	Art Unit	
	Shahid Al Alam	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5, 7 - 10, 12, 17, 26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 7 - 10, 12, 17, 26 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for Continued Examination under 37 CFR 1.114, the fee set forth in 37 CFR 1.17(e) has been paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 May 2006 has been entered. An action on the RCE follows.
2. Claim Rejections - 35 USC § 112, First Paragraph has been withdrawn.
3. Claims 5, 7 – 10, 12, 17, 26 and 28 are pending in this Office action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 7 – 10, 12, 17, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,774,803 issued to Kazuo Kariya ("Kariya") and in view of U.S. Patent Number 6,321,158 issued to David DeLorme et al. ("DeLorme").

With respect to claims 5, 17, 26 and 28, Kariya teaches a service information distribution device for distributing service information to a personal digital assistant (PDA) device (see abstract), comprising:

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a management unit that manages position information of positions of the personal digital assistant (PDA) device (column 6, lines 40 – 48 and column 7, lines 6 – 11);

a selection unit that selects a PDA device to which the service information should be distributed on the basis of the history managed by said management unit (column 2, lines 49 – 56, column 3, lines 11 – 15 and 39 – 45); and

a distribution unit that distributes the service information to the selected PDA device (column 6, lines 40 – 48).

Kariya teaches claimed invention substantially as claimed including regional information and zone information. Kariya does not explicitly teach the position information of the personal assistant device and position information previously been located as claimed.

DeLorme discloses claimed use information includes positional information of said personal assistant device (column 14, lines 41 – 45 and Fig 1A4) and position information previously been located (examiner interprets this as travel plan of the position information which already been located and modifying travel plan (see Figure 3, item 309 and corresponding text).

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine DeLorme with Kariya to provide a new integrated routing/mapping information system (IRMIS) capable of enabling the mating and cooperation between desktop and handheld devices, including the automatic updating of related database whenever the desktop PC and handheld PDA link together (column

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4, lines 21 – 26; DeLorme). Since, Kariya's database of the regional information center serves a plurality of base station, it would have been obvious to combine to simplify the management and to reduce the cost of the regional information system (see column 8, lines 9 – 12; Kariya).

As to claim 7, selection unit selects the PDA device to which the service information should be distributed, on the basis of a frequency for dropby of each zone by each PDA device (column 2, lines 53 – 62; Kariya).

As to claim 8, the service information includes congestion degree information (column 1, lines 59 – 61 and column 3, lines 21 – 28; Kariya).

As to claim 9, the service information includes at least one of information regarding sale of an article, advertisement distribution, reservation, hall guidance, opening of an event and an attraction, suitable for said PDA device (column 5, lines 8 – 11; DeLorme).

As to claim 10, distributes the selected service information in response to request from said PDA device (column 6, lines 50 – 53; DeLorme).

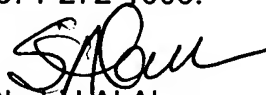
As to claim 12, said management unit also manages accounting information for a user of the PDA device (column 2, lines 17 – 28; Kariya).

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Shahid Al Alam
Primary Examiner
Art Unit 2162

9 June 2006